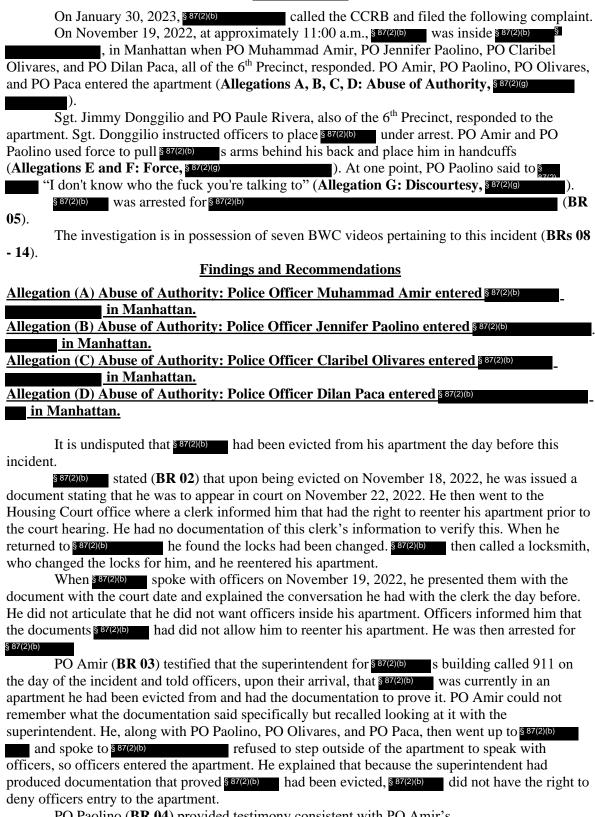
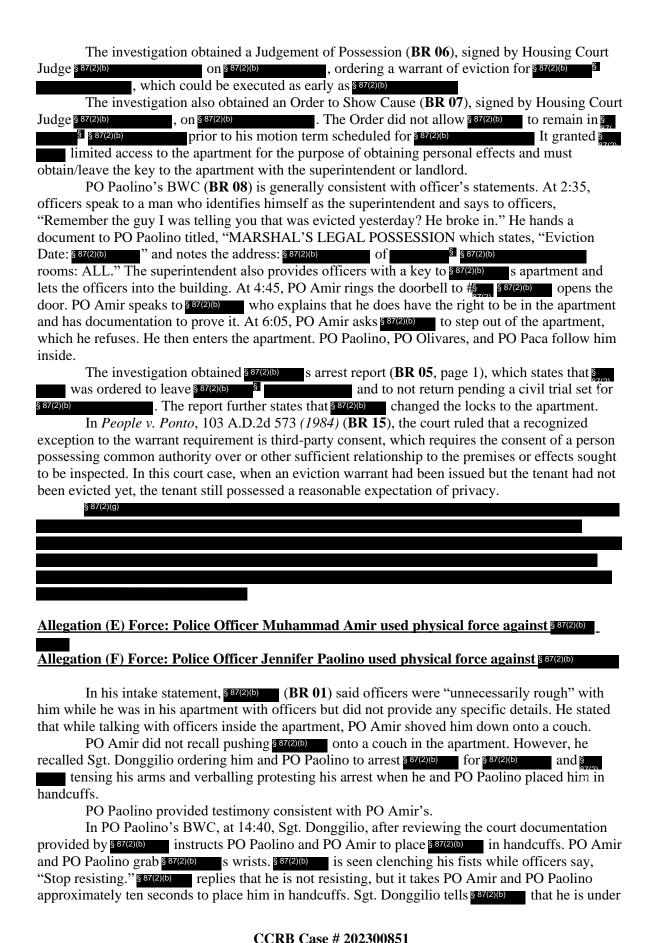
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	V	Force	<u> </u>	Discourt.	U.S.	
Carter Garfield		Squad #16	202300851	v	Abuse		O.L.	☐ Injury	y
Incident Date(s)		Location of Incident:		┢	18 N	10. S	OI.	Precinc	
` ,		\$ 87(2)(b)			5/19/2024		06	٠.	
Saturday, 11/19/2022 11:00 AM			II. CVD 1						
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Time Received at CCRB				
Mon, 01/30/2023 4:41 PM		CCRB	Call Processing System		Mon, 01/3	30/202	23 4:41 PM		
Complainant/Victim	Type	Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. PO Jennifer Paolino	11839	970760	006 PCT						
2. PO Dilan Paca	04564	972845	006 PCT						
3. PO Claribel Olivares	10631	928524	006 PCT						
4. PO Muhammad Amir	10773	966434	006 PCT						
Witness Officer(s)	Shield N	o Tax No	Cmd Name						
1. PO Brian Hardman	04990	965170	006 DET						
2. SGT Jimmy Donggilio	02479	926787	006 PCT						
3. PO Paule Rivera	15293	942442	006 PCT						
Officer(s)	Allegatio	on			Inv	estiga	ator Recor	nmendatio	n
A . PO Muhammad Amir	Abuse: P § 87(2)(b)	Police Officer Muhamma	ad Amir entered in Manhattan.						
B . PO Jennifer Paolino	Abuse: P § 87(2)(b)	Police Officer Jennifer P	aolino entered in Manhattan.						
C . PO Claribel Olivares	Abuse: P § 87(2)(b)	Police Officer Claribel C	Olivares entered in Manhattan.						
D . PO Dilan Paca	Abuse: P § 87(2)(b)	Police Officer Dilan Pac	a entered in Manhattan.						
E . PO Muhammad Amir	Force: Po	olice Officer Muhamma	d Amir used physica	al fo	orce				
F . PO Jennifer Paolino	Force: Po	olice Officer Jennifer Pa 87(2)(b)	nolino used physical	forc	ce				
G . PO Jennifer Paolino	Discourte discourte	esy: Police Officer Jenn cously to § 87(2)(b)	ifer Paolino spoke						

Case Summary



PO Paolino (BR 04) provided testimony consistent with PO Amir's.



arrest for \$87(2)(b) PO Amir and PO Paolino walk \$87(2)(b) outside to their RMP by holding onto his arms and walking with him and they place him inside the RMP. At no point is any officer seen pushing § 87(2)(b) onto the couch in the apartment. Patrol Guide Procedure 221-01 (**BR 15**) states that officers are permitted to use a reasonable amount of force in order to place a person in custody. Allegation (G) Discourtesy: Police Officer Jennifer Paolino spoke discourteously to \$87(2)(5) It is undisputed that PO Paolino said, "I don't know who the fuck you're talking to," to This is captured at 18:55 in PO Paolino's BWC (**BR 08**). PO Paolino testified that she made that remark out of exasperation and because \$87(2)(b) was not showing courtesy, professionalism, or respect to officers. She did not believe this incident was particularly violent or stressful. Patrol Guide Procedure 200-02 (BR 17) states that officers are expected to treat every citizen with courtesy, professionalism, and respect. Officers are also to maintain a higher standard of integrity than is generally expected of others. In DCT Case 2017-17005 (BR 21) the court ruled that discourteous language during stressful or violent situations are not misconduct. **Civilian and Officer CCRB Histories** This is the first CCRB complaint to which \$87(2)(b) has been a party (**BR 18**). PO Amir has been a member of service for four years and has been a subject of three CCRB

- complaints and eight allegations, none of which were substantiated.
- PO Paolino has been a member of service for two years and this is the first CCRB complaint in which she is listed as a subject.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- On May 22, 2023, a request for any Notice of Claim regarding this incident was filed with Office of the Comptroller and will be added to the case file upon receipt (BR 19).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

RPBP History

This complaint did not contain any allegations of Racial Profiling/Bias-Based Policing.

Squad:	16		
Investigator:	Carter Garfield Signature	SI Garfield Print Title & Name	6/13/2023 Date
Squad Leader:	Patrick Yu Signature	IM Patrick Yu Print Title & Name	06/14/2023 Date
Reviewer:	Signature	Print Title & Name	Date